

UNITED STATES DISTRICT COURT CLERK'S OFFICE
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.

JUAN AGUSTIN CARABALLO
JEAN CLAUDE MULLER,
Defendants.

04 CR 10396 PPS
Criminal No. 04 CR 10396 PPS
21 U.S.C. § 846 - Conspiracy To Possess With Intent to Distribute and Distribute Cocaine
21 U.S.C. § 841(a)(1) - Possession Of Cocaine With Intent To Distribute
18 U.S.C. § 2 - Aiding and Abetting

INFORMATION

The United States Attorney charges that:

COUNT ONE: (21 U.S.C. § 846 - Conspiracy To Distribute And To Possess With Intent To Distribute Cocaine).

In or about February 2002 at Auburn, Weston, in the District of Massachusetts and elsewhere,

**JUAN AGUSTIN CARABALLO and
JEAN CLAUDE MULLER,**

defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree with each other and with other persons, known and unknown to the United States, to possess with intent to distribute and to distribute cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, § 841(a)(1).

It is further alleged that this offense involved at least 500 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, § 841(b)(1)(B)(ii) is applicable to this count.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. § 841(a)(1) - Possession Of Cocaine With Intent To Distribute; 18 U.S.C. § 2 - Aiding and Abetting).

The United States Attorney charges that:

On or about February 27, 2002 at Auburn, Weston, and elsewhere in the District of Massachusetts,

**JUAN AGUSTIN CARABALLO and
JEAN CLAUDE MULLER,**

defendants herein, did knowingly and intentionally possess with intent to distribute cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that this offense involved at least 500 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, § 841(b)(1)(B)(ii) is applicable to this count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Notice Of Additional Factors

The United States Attorney further charges that:

1. Defendant Juan Caraballo is responsible for at least 500 grams but less than two kilograms of cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) is applicable to this defendant.

2. Defendant Jean Muller is responsible for at least 500 grams but less than two kilograms of cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) is applicable to this defendant.

MICHAEL J. SULLIVAN
United States Attorney

By:


Neil J. Gallagher, Jr.
Assistant U.S. Attorney

DATED: December 28, 2004.

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**

Place of Offense: Auburn Category No. I _____ Investigating Agency DEA/MSP _____

City Boston _____

Related Case Information:

County Suffolk _____

Superseding Ind./ Inf. XXX Case No. _____

Same Defendant _____ New Defendant _____

Magistrate Judge Case Number _____

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:Defendant Name Juan Augstn Caraballo Juvenile: Yes No

Alias Name _____

Address 75 Baker Street, Lynn, MA _____

Birthdate: 1959 SS # xxx-xx-3114 Sex: Male Race: Hispanic Nationalit Dominican Rep.

Defense Counsel if known: William Keefe, Esq. Address 350 Centre St., Jamaica Plain, MA _____

Bar Number _____

U.S. Attorney Information:

AUSA Neil J. Gallagher, Jr. Bar Number if VA Bar No. 41457 _____

Interpreter: Yes No List language and/or dialect: Spanish _____Matter to be SEALED: Yes No

XX Warrant Requested Regular Process In custody at Worcester HOC

Location Status:

Arrest Date 2/27/02 _____

Already in Federal Custody as of _____ in _____.

X Already in State Custody at Worcester HOC Awaiting Trial On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint Information XXX Indictment

Total # of Counts: Petty _____ Misdemeanor _____ Felony 2 counts _____

Continue on Page 2 for Entry of U.S.C. Citations

X I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: December 28, 2004

Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Juan Augustin Caraballo

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. § 846</u>	<u>Conspiracy to Possess With Intent to Distribute and Distribute More Than 500 Grams of Cocaine</u>	<u>1</u>
Set 2 <u>21 U.S.C. §841(a)(1)</u>	<u>Possession With Intent to Distribute More Than 500 Grams of Cocaine</u>	<u>2</u>
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION: Defendant is currently in State custody at the Worcester County House of Corrections.

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**

Place of Offense: Auburn Category No. I Investigating Agency DEA/MSP

City Boston

Related Case Information:

County Suffolk

Superseding Ind./ Inf. XXX Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Jean Claude Muller Juvenile: Yes No

Alias Name _____

Address 48 Thompson Street, Lynn, MABirthdate: x.x.1956 SS # _____ Sex: Male Race: Caucasian Nationalit FrenchDefense Counsel if known: Mark E. Noonan, Esq. Address 108 Grove St., Worcester, MA

Bar Number _____

U.S. Attorney Information:AUSA Neil J. Gallagher, Jr. Bar Number if _____ VA Bar No. 41457Interpreter: Yes No List language and/or dialect: _____Matter to be SEALED: Yes No Warrant Requested Regular Process Defendant is in custody at Worcester HOC.**Location Status:**Arrest Date 2/27/02

Already in Federal Custody as of _____ in _____.

 Already in State Custody at the Worcester County HOC. Awaiting Trial On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint XXX Information Indictment

Total # of Counts: Petty _____ Misdemeanor _____ Felony _____ 2

Continue on Page 2 for Entry of U.S.C. Citations

 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: December 28, 2004Signature of AUSA: Neil J. Gallagher

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Jean Claude Muller

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §846</u>	<u>Conspiracy to Possess With Intent to Distribute and Distribute More Than 500 grams of Cocaine</u>	<u>1</u>
Set 2	<u>21 U.S.C. §841(a)(1)</u>	<u>Possession With Intent to Distribute More Than 500 Grams of Cocaine</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

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